

Docketed:
April 15, 1986

Court: United States Court of Appeals
for the Sixth Circuit

Counsel for petitioner: Willis, James R., Saltzburg, Stephen
Allan

Counsel for respondent: Solicitor General

Entry	Date	Note	Proceedings and Orders
1	Mar 7 1986		Application for extension of time to file petition and order granting same until April 15, 1986 (O'Connors, March 10, 1986).
2	Apr 15 1986	G	Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed.
4	Apr 28 1986		Waiver of right to respond filed.
5	May 1 1986		DISTRIBUTED. May 15, 1986
6	May 13 1986	P	Response requested. (Due June 12, 1986 - NONE RECEIVED)
8	Jun 12 1986		Order extending time to file response to petition until July 12, 1986.
9	Jun 27 1986		Brief of respondent United States in opposition filed.
10	Jul 2 1986		REDISTRIBUTED. September 29, 1986
11	Jul 10 1986	X	Reply brief of petitioner William J. Bourjaily filed.
13	Oct 3 1986		REDISTRIBUTED. October 10, 1986
15	Oct 14 1986		Petition GRANTED. Limited to the following questions: 1. Whether, in order to admit an alleged co-conspirator's declarations against a defendant under Federal Rule of Evidence 801(d)(2)(E), the court must determine by independent evidence a) that a conspiracy existed, and b) that the declarant and the defendant were members of this conspiracy. 2. Assuming that the court must make these determinations, upon what quantum of independent proof must they be based? 3. Whether, as a requirement for the admission of a co-conspirator's statement against a defendant, the court must assess the circumstances of the case to determine whether the statement carries with it sufficient indicia of reliability.
17	Nov 4 1986		***** Order extending time to file brief of petitioner on the merits until December 29, 1986.
18	Nov 22 1986		Record filed.
19	Dec 15 1986		Joint appendix filed.
20	Dec 29 1986		Brief amicus curiae of Natl. Assn. of Criminal Defense Lawyers filed.
21	Dec 29 1986		Brief of petitioner William J. Bourjaily filed.
23	Jan 29 1987		Order extending time to file brief of respondent on the merits until February 5, 1987.
24	Feb 5 1987		Brief of respondent United States filed.
25	Mar 11 1987		Reply brief of petitioner William J. Bourjaily filed.
26	Mar 13 1987		CIRCULATED.

EDITOR'S NOTE

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try Date Note ----- Proceedings and Orders -----

7 Mar 27 1987 SET FOR ARGUMENT. Wednesday, April 1, 1987. (4th case).